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Attorneys for Plaintiff The Bank of New York Mellon fka The Bank of New York, as Trustee for the Certificateholders of the CWABS, Inc. Asset-Backed Certificates, Series 2006-14

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

THE BANK OF NEW YORK MELLON FKA
THE BANK OF NEW YORK, AS TRUSTEE
FOR THE CERTIFICATEHOLDERS OF
THE CWABS, INC. ASSET-BACKED
CERTIFICATES, SERIES 2006-14, A
NATIONAL BANK,

Case No.: 2:17-CV-02026-JAD-VCF

**STIPULATION AND ORDER TO
DISMISS DEFENDANT VICTORY
OVATION HOMEOWNERS
ASSOCIATION**

ECF No. 29

Plaintiff,

VS.

VICTORY OVATION HOMEOWNERS
ASSOCIATION, a Nevada corporation;
SATICOY BAY LLC SERIES 2802
ALBATA, a Nevada limited liability company,

Defendants.

Pursuant to Federal Rule of Civil Procedure 41(a), Plaintiff THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWABS, INC. ASSET-BACKED CERTIFICATES, SERIES 2006-14 (hereinafter “BNYM”) and Defendant VICTORY OVATION HOMEOWNERS ASSOCIATION (hereinafter “VICTORY OVATION”), (collectively, the “Parties”), by and through their respective counsel of record, hereby stipulate as follows:

1. On July 25, 2017, Plaintiff BNYM filed its Complaint in this action naming VICTORY OVATION and other parties as defendants related to a homeowners association foreclosure sale

1 of real property located at 2802 Albata Ave., North Las Vegas, NV 89030; APN 139-12-311-046
2 (hereinafter “Property”).

3 2. The Parties hereby agree that BNYM’s claims against VICTORY OVATION shall be
4 dismissed with prejudice, and BNYM and VICTORY OVATION shall each bear its own costs
5 and fees related to this litigation.

6 3. VICTORY OVATION asserts that it does not have a current ownership interest in title to
7 the Property.

8 4. VICTORY OVATION specifically reserves its ongoing rights under Nevada law,
9 including NRS Chapter 116, and the governing documents, including the Covenants, Conditions
10 and Restrictions (“CC&Rs”).

11 5. This dismissal does not affect any rights, claims or defenses of BNYM or VICTORY
12 OVATION with respect to any other party related to the foreclosure sale of the Property.
13

14 **IT IS SO STIPULATED.**

15 DATED: July 24th, 2019

16 DATED: July 24th, 2019

17 ZBS LAW, LLP

18 BOYACK ORME & ANTHONY

19 /s/J. Stephen Dolembo, Esq.

20 J. Stephen Dolembo, Esq.

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33 *Attorneys for Plaintiff The Bank of New York*

34 *Attorneys for Defendant, Victory Ovation*

35 *Mellon fka The Bank of New York, as Trustee*

36 *for the Certificateholders of the CWABS, Inc.*

37 *Asset-Backed Certificates, Series 2006-14*

38 *Homeowners Association*

1

2 **ORDER**

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4 Based on the stipulation between Bank of New York Mellon and Victory Ovation
5 Homeowners Association [**ECF No. 29**], which I construe as a joint motion under Local Rule
6 7-1(c) because it was signed by fewer than all the parties or their attorneys, and with good
7 cause appearing, IT IS HEREBY ORDERED that ALL CLAIMS AGAINST Victory Ovation
8 Homeowners Association are DISMISSED with prejudice, each side to bear its own fees and
9 costs.

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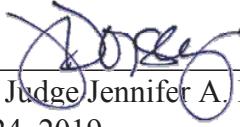
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U.S. District Judge Jennifer A. Dorsey
Dated: July 24, 2019



Respectfully submitted,

ZBS LAW, LLP

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